

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

HERBERT HOUSTON,)
)
)
Plaintiff(s),)
)
)
vs.) Case No. 4:07CV01383 ERW (AGF)
)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
Defendant(s).)

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation of United States Magistrate Judge Audrey G. Fleissig [doc. #18].

The Court notes that no objections were filed to the Report and Recommendation within the time period afforded by 28 U.S.C. § 636(b)(1). The Court has considered the Report and Recommendation and hereby sustains, adopts and incorporates herein the Magistrate's Report and Recommendation in its entirety. The Social Security Commissioner's decision is reversed.

Accordingly,

IT IS HEREBY ORDERED that under sentence four of 42 U.S.C. § 405(g), the decision of the Commissioner is **REVERSED** and the case **REMANDED** for further consideration consistent with this opinion.

Dated this 29th Day of August, 2008.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE